

**PUBLIC CHAPTER NO. 938****SENATE BILL NO. 3286****By Tracy, Bunch, Crowe, Jackson, Southerland, Marrero, Burks****Substituted for: House Bill No. 3612****By Maddox, Hawk, Ford, Williams, Cooper, Hardaway, Coley**

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 3, relative to funding for internet connectivity and technology.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 3, is amended by adding the following as a new, appropriately designated part:

§ 49-3-\_\_\_\_. It is the legislative intent of the general assembly that adequately-funded access to Internet services be maintained for the public school systems in the state to enhance instructional capabilities and e-learning opportunities. It is further the intent of the general assembly that the funding for Internet services authorized by this part be maintained and adequately funded for the purpose of data transmission among sites located within local education agencies, between local education agencies and the state, and between local education agencies and educational sites on the Internet. It is further the intent of the general assembly that local education agencies shall have the choice to select any Internet service provider that meets the needs of the local education agency as defined by each agency's local procurement processes, in compliance with all requirements of federal and state laws, rules, and regulations governing such processes.

§ 49-3-\_\_\_\_.

(a) Beginning with the 2008-2009 fiscal year, all funds appropriated for Internet funding or Internet connectivity funding shall be administered by the Department of Education and shall be distributed to local education agencies pursuant to an equitable formula adopted by the department that recognizes the impact of federal E-Rate funding. This formula shall be used to distribute all funds designated for Internet services in lieu of the basic education program funding formula.

(b) Local education agencies shall have the authority to expend the funds authorized by this part for services provided by any qualified vendor properly selected in accordance with local procurement regulations.

(c) The State Board of Education and the Department of Education shall review the funding for Internet funding, Internet

connectivity funding and e-learning on an annual basis and make recommendations to the Select Oversight Committee on Education on the adequacy of the funding and the need for additional funds.

(d) To be eligible for any funding distributed under the provisions of this part, technology, Internet, Internet connectivity, or e-learning services shall be purchased pursuant to a competitive process prescribed by a request for proposal (RFP) submitted to and approved by the comptroller of the treasury prior to issuance.

(e) The State Board of Education is authorized to promulgate rules and regulations to effectuate the purposes of this part. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

**PASSED: April 24, 2008**



RON RAMSEY  
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 16th day of May 2008**



PHIL BREDESEN, GOVERNOR